

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

IN RE:

Terrell D. Thomas
Annette L. Thomas

Debtor(s)

Case No.: 19-05945
Chapter: 13
Plan filed on 03/06/2019
Confirmation Hearing: 4/22/19

OBJECTION TO CONFIRMATION OF PLAN FILED ON 03/06/2019

NOW COMES OCWEN LOAN SERVICING, LLC AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY, AS INDENTURE TRUSTEE FOR ARGENT MORTGAGE LOAN TRUST 2005-W1, ASSET-BACKED NOTES SERIES 2005-W1, and/or its assigns (hereinafter “Movant”), by and through its attorneys, Codilis & Associates, P.C., and moves this Honorable Court for an Order denying confirmation of Debtor’s plan filed on 03/06/2019 and in support thereof states as follows:

1. Debtor filed a petition under Chapter 13 of Title 11, United States Bankruptcy Code on 3/6/19 and this Court has jurisdiction pursuant to 28 U.S.C. §1334 and Internal Operating Procedure 15(a) of the United States District Court for the Northern District of Illinois;

2. Movant intends to file a claim secured by an interest in the real property commonly known as 15201 Drexel Avenue, South Holland, IL and that the Chapter 13 plan herein proposes that Debtor cure the pre-petition arrearage claim through the Chapter 13 Trustee while maintaining current, post-petition mortgage payments;

3. That although Movant intends to file a proof of claim indicating an estimated pre-petition arrearage in the amount of \$8,401.41, the proposed plan provides for payment of only \$.00 in contradiction of Movant’s rights under 11 U.S.C. §1322(b)(2) and/or §1322(b)(5);

4. That sufficient grounds exist for denial of confirmation as Debtor’s plan:
- a. Fails to cure Movant’s pre-petition arrearage claim amount in full;

5. Movant has incurred attorney fees and/or costs in connection with this bankruptcy proceeding subject to court approval, including:

\$500.00 for Objection to confirmation of the Chapter 13 plan including plan review and attending confirmation, if not separately billed

WHEREFORE, OCWEN LOAN SERVICING, LLC AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY, AS INDENTURE TRUSTEE FOR ARGENT MORTGAGE LOAN TRUST 2005-W1, ASSET-BACKED NOTES SERIES 2005-W1 prays this Court deny confirmation of the plan allowing the fees and costs described herein to be added to the indebtedness pursuant to the terms of the note and mortgage, and for such other and further relief as this Court may deem just and proper.

Dated this 3/15/2019

Respectfully Submitted,
Codilis & Associates, P.C.

By: /s/ Joel P. Fonferko

Berton J. Maley ARDC#6209399
Rachael A. Stokas ARDC#6276349
Peter C. Bastianen ARDC#6244346
Joel P. Fonferko ARDC#6276490
Laura A. Hrisiko ARDC#6230993
Brenda Ann Likavec ARDC#6330036
Codilis & Associates, P.C.
15W030 North Frontage Road, Suite 100
Burr Ridge, IL 60527
(630) 794-5300
C&A FILE (14-18-07564)

NOTE: This law firm is a debt collector.